



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Tuula RYDE et al.  
Title: NANOPARTICULATE FIBRATE FORMULATIONS  
Appl. No.: 10/692,855  
Filing Date: 10/27/2003  
Examiner: Unassigned  
Art Unit: 1771

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 10/444,066, filed 05/23/2003. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

The relevance of the listed documents is explained in the parent application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 27, 2004

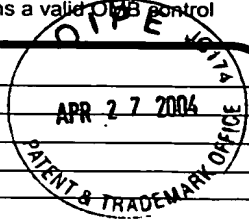
By Michele M. Simkin

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5538  
Facsimile: (202) 672-5399

Michele M. Simkin  
Attorney for Applicants  
Registration No. 34,717

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/692,855</td> </tr> <tr> <td>Filing Date</td> <td>10/27/2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Tuula RYDE et al.</td> </tr> <tr> <td>Group Art Unit</td> <td>1771</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>029318-0988</td> </tr> </table>		Application Number	10/692,855	Filing Date	10/27/2003	First Named Inventor	Tuula RYDE et al.	Group Art Unit	1771	Examiner Name	Unassigned	Attorney Docket Number	029318-0988
Application Number	10/692,855																
Filing Date	10/27/2003																
First Named Inventor	Tuula RYDE et al.																
Group Art Unit	1771																
Examiner Name	Unassigned																
Attorney Docket Number	029318-0988																
Sheet	1	of	4														



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	3,907,792		MIEVILLE	09/23/1975	
	A2	4,250,191		EDWARDS	02/10/1981	
	A3	4,499,289		BARAN ET AL.	02/12/1985	
	A4	4,647,576		HOEFLE ET AL.	03/03/1987	
	A5	4,686,237		ANDERSON	08/11/1987	
	A6	4,783,484		VIOLANTE ET AL.	11/08/1988	
	A7	4,826,689		VIOLANTO ET AL.	05/02/1989	
	A8	4,895,726		CURTET ET AL.	01/23/1990	
	A9	4,997,454		VIOLANTE ET AL.	03/05/1991	
	A10	5,145,684		LIVERSIDGE ET AL.	09/08/1992	
	A11	5,298,262		NA ET AL.	03/29/1994	
	A12	5,302,401		LIVERSIDGE ET AL.	04/12/1994	
	A13	5,318,767		LIVERSIDGE ET AL.	06/07/1994	
	A14	5,326,552		NA ET AL.	07/05/1994	
	A15	5,328,404		BACON	07/12/1994	
	A16	5,336,507		NA ET AL.	08/09/1994	
	A17	5,340,564		ILLIG ET AL.	08/23/1994	
	A18	5,346,702		NA ET AL.	09/13/1994	
	A19	5,349,957		YUDELSON	09/27/1994	
	A20	5,352,459		HOLLISTER ET AL.	10/04/1994	
	A21	5,399,363		LIVERSIDGE ET AL.	03/21/1995	
	A22	5,401,492		KELLAR ET AL.	03/28/1995	
	A23	5,429,824		JUNE	07/04/1995	
	A24	5,447,710		NA ET AL.	09/05/1995	
	A25	5,451,393		LIVERSIDGE ET AL.	09/19/1995	
	A26	5,466,440		RUDDY ET AL.	11/14/1995	
	A27	5,470,583		NA ET AL.	11/28/1995	
	A28	5,472,683		ILLIG	12/05/1995	
	A29	5,494,683		LIVERSIDGE ET AL.	02/27/1996	
	A30	5,500,204		OSIFO	03/19/1996	
	A31	5,510,118		BOSCH ET AL.	04/23/1996	
	A32	5,518,187		BRUNO ET AL.	05/21/1996	
	A33	5,518,738		EICKHOFF ET AL.	05/21/1996	
	A34	5,521,218		OSIFO	05/28/1996	
	A35	5,525,238		BACON ET AL.	06/11/1996	
	A36	5,534,270		DE CASTRO	07/09/1996	
	A37	5,543,133		SWANSON ET AL.	08/06/1996	
	A38	5,552,160		LIVERSIDGE ET AL.	09/03/1996	
	A39	5,560,931		EICKHOFF ET AL.	10/01/1996	
	A40	5,560,932		BAGCHI ET AL.	10/01/1996	
	A41	5,565,188		WONG ET AL.	10/15/1996	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				Application Number		10/692,855
				Filing Date		10/27/2003
				First Named Inventor		Tuula RYDE et al.
				Group Art Unit		1771
				Examiner Name		Unassigned
Sheet	2	of	4	Attorney Docket Number		029318-0988

U.S. PATENT DOCUMENTS					
		U.S. Patent Document			
	A42	5,569,448		WONG ET AL.	10/29/1996
	A43	5,571,536		EICKHOFF ET AL.	11/05/1996
	A44	5,573,749		ILLIG	11/12/1996
	A45	5,573,750		SINGH	11/12/1996
	A46	5,573,783		DESIENO ET AL.	11/12/1996
	A47	5,580,579		RUDDY ET AL.	12/03/1996
	A48	5,585,108		RUDDY ET AL.	12/17/1996
	A49	5,587,143		WONG	12/24/1996
	A50	5,591,456		FRANSON ET AL.	01/07/1997
	A51	5,593,657		RUDDY ET AL.	01/14/1997
	A52	5,622,938		WONG	04/22/1997
	A53	5,628,981		LIVERSIDGE ET AL.	05/13/1997
	A54	5,643,552		ILLIG	07/01/1997
	A55	5,662,883		BAGCHI ET AL.	09/02/1997
	A56	5,665,331		BAGCHI ET AL.	09/09/1997
	A57	5,718,388		CZEKAI ET AL.	02/17/1998
	A58	5,718,919		RUDDY ET AL.	02/17/1998
	A59	5,741,522		VIOLANTE ET AL.	04/21/1998
	A60	5,747,001		WIEDMANN ET AL.	05/05/1998
	A61	5,776,496		VIOLANTE ET AL.	07/07/1998
	A62	5,834,025		DE GARAVILLA ET AL.	11/10/1998
	A63	5,862,999		CZEKAI ET AL.	01/26/1999
	A64	6,045,829		LIVERSIDGE ET AL.	04/04/2000
	A65	6,068,858		LIVERSIDGE ET AL.	05/30/2000
	A66	6,074,670		STAMM ET AL.	06/13/2000
	A67	6,153,225		BJOERKMAN ET AL.	09/26/2000
	A68	6,165,506		LEE ET AL.	11/28/2000
	A69	6,221,400	B1	LIVERSIDGE ET AL.	04/24/2001
	A70	6,264,922	B1	WOOD ET AL.	07/24/2001
	A71	6,270,806	B1	LIVERSIDGE ET AL.	08/07/2001
	A72	6,277,405	B1	STAMM ET AL.	08/21/2001
	A73	6,316,029	B1	JAIN ET AL.	11/13/2001
	A74	6,375,986	B1	RYDE ET AL.	04/23/2002
	A75	6,384,062	B1	IKEDA ET AL.	05/07/2002
	A76	6,428,814	B1	BOSCH	08/06/2002
	A77	6,431,478	B1	REED ET AL.	08/13/2002
	A78	6,432,381	B1	LIVERSIDGE ET AL.	08/13/2002
	A79	5,545,628		DEBOECK ET AL.	08/13/1996
	A80	6,074,670		STAMM ET AL.	06/13/2000
	A81	6,180,138	B1	ENGH ET AL.	01/30/2001
	A1	6,277,405	B1	STAMM ET AL.	08/21/2001
	A82	6,368,620	B2	LIU ET AL.	04/09/2002
	A83	6,368,622	B2	CHEN ET AL.	04/09/2002

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/692,855
				Filing Date	10/27/2003
				First Named Inventor	Tuula RYDE et al.
				Group Art Unit	1771
Examiner Name	Unassigned				
Sheet	3	of	4	Attorney Docket Number	029318-0988

U.S. PATENT DOCUMENTS					
	U.S. Patent Document				
	A84	6,372,251	B2	LIU ET AL.	04/16/2002
	A85	6,375,986	B1	RYDE ET AL.	04/23/2002
	A86	6,383,517	B1	QIU ET AL.	05/07/2002
	A87	6,444,225	B1	SHERMAN	09/03/2002
	A88	6,451,339	B2	PATEL ET AL.	09/17/2002
	A89	6,465,011	B2	LAW ET AL.	10/15/2002
	A90	6,589,552	B2	STAMM ET AL.	07/08/2003
	A91	6,592,903	B2	RYDE ET AL.	07/15/2003
	A92	6,596,317	B2	STAMM ET AL.	07/22/2003
	A93	6,604,698	B2	VERHOFF ET AL.	08/12/2003
	A94	6,634,576	B2	VERHOFF ET AL.	10/21/2003
	A95	6,604,698	B2	VERHOFF ET AL.	08/12/2003
	A96	2002/0012675	A1	JAIN ET AL.	01/31/2002
	A97	2002/003179	A1	VERHOFF	01/10/2002
	A98	2001/0006658	A1	LIU ET AL.	07/05/2001
	A99	2001/0053385	A1	LIPARI ET AL.	12/20/2001
	A100	2002/0012704	A1	PACE ET AL.	01/31/2002
	A101	2003/0031705	A1	SHERMAN	02/13/2003
	A102	2003/0077297	A1	CHEN ET AL.	04/24/2003

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A103	WO	02/098565	A1	ELAN PHARMA INTERNATIONAL LTD.	12/12/2002		
	A104	WO	02/067901	A1	RTP PHARMA INC.	09/06/2002		
	A105	WO	02/24169	A1	RTP PHARMA INC.	03/28/2002		
	A106	WO	02/24193	A1	RTP PHARMA INC.	03/28/2002		
	A107	WO	03/013474	A1	JAGOTEC AG	02/20/2003		
	A108	WO	86/07054	A1	SANDOZ-ERFINDUNGEN VERWALTUNGSGESELLSCHAFT M.B.H.	12/04/1986		
	A109	WO	86/03488	A1	SANDOZ AG	06/19/1986		
	A110	WO	99/29300	A1	RTP PHARMA INC.	06/17/1999		
	A111	WO	02/24192	A1	INSTITUT NATIONAL DE LA SANTE ET DE LA RECHERCHE MEDICALE	03/28/2002		
	A112	EP	0 142 146	A2	MERCK & CO. INC.	05/22/1985		
	A113	EP	0 221 025	A1	SANDOZ-PATENT-GMBH	05/06/1987		
	A114	WO	00/37057	A2	ABBOTT LABORATORIES	06/29/2000		
	A115	WO	00/57918	A2	ABBOTT LABORATORIES	10/05/2000		
	A116	WO	00/16749	A1	CLL PHARMA, ARENAS	03/30/2000		

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/692,855
				Filing Date	10/27/2003
				First Named Inventor	Tuula RYDE et al.
				Group Art Unit	1771
				Examiner Name	Unassigned
				Attorney Docket Number	029318-0988
Sheet	4	of	4		

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A117	WO	00/57859	A1	ABBOTT LABORATORIES	10/05/2000		
	A118	WO	00/72829	A1	ABBOTT LABORATORIES	12/07/2000		
	A119	WO	01/85345	A1	RTP PHARMA INC.	11/15/2001		
	A120	WO	03/013500	A1	LABORATOIRES SMB SA	02/20/2003		
	A121	WO	02/17883	A2	RTP PHARMA INC.	03/07/2002		
	A122	EP	1 112 064	B1	CLL PHARMA, ARENAS	07/04/2001		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A123	<i>The Physicians' Desk Reference</i> , 56 <sup>th</sup> Ed., pp. 513-516 (2002)	
	A124	LINDAHL et al., "Characterization of Fluids from the Stomach and Proximal Jejunum in Men and Women," <i>Pharm. Res.</i> , 14(4): 497-502 (1997).	

Examiner Signature	Date Considered	
--------------------	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.